

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FILED BY 4 D.C.  
05 NOV -3 AM 9:12  
THOMAS H. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, JACKSON

VICKERY TRANSPORTATION, INC., )

Plaintiff, )

v. )

NO.: 02-1323-T-An

POLLUTION CONTROL INDUSTRIES )

OF TENNESSEE, LLC, and )

POLLUTION CONTROL )

INDUSTRIES, INC., )

Defendants. )

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SECOND AMENDED RULE 16(b) SCHEDULING ORDER

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Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

**AMENDING PLEADINGS:**

for Plaintiff: **January 9, 2006**  
for Defendant: **January 20, 2006**

**COMPLETING ALL DISCOVERY:**

- (a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS FOR ADMISSIONS:** **February 1, 2006**
- (b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**  
(i) Plaintiff's Experts: **March 15, 2006**  
(ii) Defendant's Experts: **April 17, 2006**  
(iii) Supplementation under Rule 26(e): **May 1, 2006**
- (c) **DEPOSITIONS:** **May 1, 2006**  
**EXPERTS:** **May 30, 2006**

**FILING DISPOSITIVE MOTIONS: June 15, 2006**

**MISCELLANEOUS DEADLINES:**

- (a) The deadline to complete settlement discussions between the remaining intervening Plaintiff and the parties shall be **December 9, 2005**. If settlement is not reached by this date, the parties will notify the Magistrate Judge and will also advise the Court whether a settlement conference conducted by a judicial officer might be productive and/or whether an evidentiary hearing on the issues raised by the intervening Plaintiff might be desirable.
- (b) The deadline for the parties to decide if they will consent for the Magistrate Judge to conduct any and all proceedings in this case pursuant to 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 shall be **November 15, 2005**.

**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

- (a) for Plaintiff: 45 days before trial
- (b) for Defendant: 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last \_\_\_\_\_ days and is **SET** for **JURY TRIAL** on \_\_\_\_\_ **at 9:30 A.M.** A joint pretrial order is due on \_\_\_\_\_. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

Date: November 1, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 71 in case 1:02-CV-01323 was distributed by fax, mail, or direct printing on November 4, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT